

# House File 567 - Reprinted

HOUSE FILE 567  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 159)

(COMPANION TO SF 286 BY  
COMMITTEE ON JUDICIARY)

(As Amended and Passed by the House March 9, 2023)

## A BILL FOR

- 1 An Act relating to nonsubstantive Code corrections, and
- 2 including effective date and retroactive applicability
- 3 provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MISCELLANEOUS CHANGES

Section 1. Section 2.47, Code 2023, is amended to read as follows:

**2.47 Procedure.**

The chairpersons of the committees on ~~budget~~ appropriations shall serve as co-chairpersons of the legislative fiscal committee. The legislative fiscal committee shall determine its own method of procedure and shall meet as often as deemed necessary, subject to the approval of the legislative council. It shall keep a record of its proceedings which shall be open to public inspection, and it shall inform the legislative council in advance concerning the dates of meetings of the committee.

Sec. 2. Section 2.51, Code 2023, is amended to read as follows:

**2.51 Visitations.**

The legislative fiscal committee, with the approval of the legislative council, may direct a subcommittee, which shall be composed of the chairpersons and minority party ranking members of the appropriate subcommittees of the committees on ~~budget~~ appropriations of the senate and the house of representatives and the chairpersons of the appropriate standing committees of the general assembly, to visit the offices and facilities of any state office, department, agency, board, bureau, or commission to review programs authorized by the general assembly and the administration of the programs. When the legislative fiscal committee visits the offices and facilities of any state office, department, agency, board, bureau, or commission to review programs authorized by the general assembly and the administration of the programs, there shall be included the chairpersons and minority party ranking members of the appropriate subcommittees of the committees on ~~budget~~ appropriations of the senate and the house of representatives. The legislative council may appoint a member of the

1 subcommittee or standing committee to serve in place of that  
 2 subcommittee's or standing committee's chairperson or minority  
 3 party ranking member on the legislative fiscal visitation  
 4 committee or subcommittee if that person will be absent. The  
 5 subcommittee and the legislative fiscal committee shall be  
 6 provided with information by the legislative services agency  
 7 concerning budgets, programs, and legislation authorizing  
 8 programs prior to any visitation. Members of a committee shall  
 9 be compensated pursuant to [section 2.10, subsection 5](#). The  
 10 subcommittee shall make reports and recommendations as required  
 11 by the legislative fiscal committee.

12 Sec. 3. Section 8.39, subsection 4, Code 2023, is amended  
 13 to read as follows:

14 4. Prior to any transfer of funds pursuant to subsection  
 15 1 or 2 of [this section](#) or a transfer of an allocation from  
 16 a subunit of a department which statutorily has independent  
 17 budgeting authority, the director shall notify the chairpersons  
 18 of the standing committees on ~~budget~~ appropriations of the  
 19 senate and the house of representatives and the chairpersons of  
 20 subcommittees of such committees of the proposed transfer. The  
 21 notice from the director shall include information concerning  
 22 the amount of the proposed transfer, the departments,  
 23 institutions or agencies affected by the proposed transfer and  
 24 the reasons for the proposed transfer. Chairpersons notified  
 25 shall be given at least two weeks to review and comment on the  
 26 proposed transfer before the transfer of funds is made.

27 Sec. 4. Section 8C.7A, subsection 3, paragraph c,  
 28 subparagraph (3), subparagraph division (a), subparagraph  
 29 subdivision (iii), Code 2023, is amended to read as follows:

30 (iii) The application would result in the authority being  
 31 noncompliant with the federal Americans With Disabilities Act  
 32 of 1990.

33 Sec. 5. Section 13C.1, subsection 4, Code 2023, is amended  
 34 to read as follows:

35 4. "*Professional commercial fund-raiser*" means any person

1 who for compensation solicits contributions in Iowa for a  
2 charitable organization other than the person. A person  
3 whose sole responsibility is to mail ~~fund-raising~~ fundraising  
4 literature is not a professional commercial fund-raiser. A  
5 lawyer, investment counselor, or banker who advises a person  
6 to make a charitable contribution is not, as a result of such  
7 advice, a professional commercial fund-raiser. A bona fide  
8 salaried officer, employee, or volunteer of a charitable  
9 organization is not a professional commercial fund-raiser.

10 Sec. 6. Section 15E.64, subsection 7, Code 2023, is amended  
11 to read as follows:

12 7. After incorporation, the Iowa capital investment  
13 corporation shall conduct a national solicitation for  
14 investment plan proposals from qualified venture capital  
15 investment fund allocation managers for the raising and  
16 investing of capital by the Iowa fund of funds in accordance  
17 with the requirements of this subchapter. Any proposed  
18 investment plan shall address the applicant's level of  
19 experience, quality of management, investment philosophy and  
20 process, probability of success in ~~fund-raising~~ fundraising,  
21 prior investment fund results, and plan for achieving the  
22 purposes of this subchapter. The selected venture capital  
23 investment fund allocation manager shall be a person  
24 with substantial, successful experience in the design,  
25 implementation, and management of seed and venture capital  
26 investment programs and in capital formation. The corporation  
27 shall only select a venture capital investment fund allocation  
28 manager with demonstrated expertise in the management and  
29 fund allocation of investments in venture capital funds. The  
30 corporation shall select the venture capital investment fund  
31 allocation manager deemed best qualified to generate the amount  
32 of capital required by this subchapter and to invest the  
33 capital of the Iowa fund of funds.

34 Sec. 7. Section 22.7, subsection 52, paragraph c, Code 2023,  
35 is amended to read as follows:

1     *c.* Except as provided in paragraphs “*a*” and “*b*”, portions  
 2 of records relating to the receipt, holding, and disbursement  
 3 of gifts made for the benefit of regents institutions and  
 4 made through foundations established for support of regents  
 5 institutions, including but not limited to written ~~fund-raising~~  
 6 fundraising policies and documents evidencing ~~fund-raising~~  
 7 fundraising practices, shall be subject to this chapter.

8     Sec. 8. Section 23A.2, subsections 6, 7, and 8, Code 2023,  
 9 are amended to read as follows:

10     6. *a.* The director of the department of corrections, with  
 11 the advice of the state prison industries advisory board, may,  
 12 by rule, provide for exemptions from this chapter.

13     *b.* This chapter shall not be construed to impair cooperative  
 14 agreements between Iowa state industries and private  
 15 enterprise.

16     *c.* The director of the department of corrections, with the  
 17 advice of the board of corrections, may, by rule, provide for  
 18 exemption from this chapter for vocational-educational programs  
 19 and farm operations of the department.

20     ~~7. However, this chapter shall not be construed to impair~~  
 21 ~~cooperative agreements between Iowa state industries and~~  
 22 ~~private enterprise.~~

23     ~~8. The director of the department of corrections, with the~~  
 24 ~~advice of the board of corrections, may by rule, provide for~~  
 25 ~~exemption from this chapter for vocational-educational programs~~  
 26 ~~and farm operations of the department.~~

27     Sec. 9. Section 29C.9, subsection 3, Code 2023, is amended  
 28 to read as follows:

29     3. The name used by the commission shall be “(county name)  
 30 county emergency management commission”. The name used by  
 31 the office of the commission shall be “(county name) county  
 32 emergency management agency”.

33     Sec. 10. Section 35A.13, subsection 4, paragraph *c*,  
 34 subparagraph (3), Code 2023, is amended to read as follows:

35     (3) Costs for performance and compliance monitoring, and

1 accounting for fund investments.

2     Sec. 11. Section 53.47, subsection 1, Code 2023, is amended  
3 to read as follows:

4     1. In order to establish uniformity in size, weight,  
5 and other characteristics of the ballot and facilitate its  
6 distribution and return, the department of administrative  
7 services shall upon direction of the state commissioner  
8 purchase any material needed for any special ballots,  
9 envelopes, and other printed matter, and sell any such  
10 materials to the several counties of the state at cost plus  
11 handling and transportation costs.

12     Sec. 12. Section 68A.304, subsection 1, paragraph a, Code  
13 2023, is amended to read as follows:

14     a. Equipment, supplies, or other materials purchased  
15 with campaign funds or received ~~in-kind~~ in kind are campaign  
16 property.

17     Sec. 13. Section 68A.701, Code 2023, is amended to read as  
18 follows:

19     **68A.701 Penalty.**

20     Any person who willfully violates any provisions of  
21 this chapter shall, upon conviction, be guilty of a serious  
22 misdemeanor.

23     Sec. 14. Section 76.10, subsection 1, Code 2023, is amended  
24 to read as follows:

25     1. All public bonds or obligations issued before or after  
26 July 1, 1983, may be in registered form. An issuer of public  
27 bonds or obligations may designate for a term as agreed upon,  
28 one or more persons, corporations, partnerships, or other  
29 associations located within or without the state to serve as  
30 trustee, transfer agent, registrar, depository, or paying or  
31 other agent in connection with the public bonds or obligations  
32 and to carry out services and functions which are customary in  
33 such capacities or convenient or necessary to comply with the  
34 intent and provisions of [this chapter](#).

35     Sec. 15. Section 80D.7, Code 2023, is amended to read as

1 follows:

2 **80D.7 Carrying weapons.**

3 A member of a reserve force shall not carry a weapon in  
 4 the line of duty until the member has been approved by the  
 5 governing body and certified by the ~~Iowa law enforcement~~  
 6 ~~academy~~ council to carry weapons. After approval and  
 7 certification, a reserve peace officer may carry a weapon in  
 8 the line of duty only when authorized by the chief of police,  
 9 sheriff, commissioner of public safety or the commissioner's  
 10 designee, or director of the judicial district department of  
 11 correctional services or the director's designee, as the case  
 12 may be.

13 Sec. 16. Section 99F.6, subsection 4, paragraph a,  
 14 subparagraph (4), Code 2023, is amended to read as follows:

15 (4) A qualified sponsoring organization shall not make a  
 16 contribution to a candidate, political committee, candidate's  
 17 committee, state statutory political committee, county  
 18 statutory political committee, national political party, or  
 19 ~~fund-raising~~ fundraising event as these terms are defined in  
 20 section 68A.102. The membership of the board of directors of  
 21 a qualified sponsoring organization shall represent a broad  
 22 interest of the communities.

23 Sec. 17. Section 100.14, Code 2023, is amended to read as  
 24 follows:

25 **100.14 Legal proceedings — penalties — injunctive relief.**

26 At the request of the state fire marshal, the county  
 27 attorney shall institute any legal proceedings on behalf of the  
 28 state necessary to obtain compliance or enforce the penalty  
 29 provisions of **this chapter** or rules or orders adopted or issued  
 30 pursuant to **this chapter**, including, but not limited to, a  
 31 legal action for injunctive relief. The county attorney or  
 32 any other attorney acting on behalf of the chief of a fire  
 33 department or a fire prevention officer may institute legal  
 34 proceedings, including, but not limited to, a legal action for  
 35 injunctive relief, to obtain compliance or enforce the penalty

1 provisions or orders issued pursuant to [section 100.13](#).

2     Sec. 18. Section 103.18, Code 2023, is amended to read as  
3 follows:

4     **103.18 License renewal — continuing education.**

5     In order to renew a class A master electrician license, class  
6 B master electrician license, class A journeyman electrician  
7 license, or class B journeyman electrician license issued  
8 pursuant to [this chapter](#), the licensee shall be required to  
9 complete eighteen contact hours of continuing education courses  
10 approved by the board during the three-year period for which a  
11 license is granted. The contact hours shall include a minimum  
12 of six contact hours studying the national electrical code  
13 described in [section 103.6](#), and the remaining contact hours may  
14 include study of electrical circuit theory, blueprint reading,  
15 transformer and motor theory, electrical circuits and devices,  
16 control systems, programmable controllers, and microcomputers  
17 or any other study of electrical-related material that is  
18 approved by the board. Any additional hours studying the  
19 national electrical code shall be acceptable. For purposes of  
20 this section, "*contact hour*" means fifty minutes of classroom  
21 attendance at an approved course under a qualified instructor  
22 approved by the board.

23     Sec. 19. Section 147.77, subsection 1, paragraph h,  
24 subparagraph (3), Code 2023, is amended to read as follows:

25     (3) For the regulation of licensees in restricted areas of  
26 a racing facility, that licensees whose duties require them to  
27 be in a restricted area of a racing facility shall not have  
28 present within their systems any controlled substance as listed  
29 in schedules I to V of ~~U.S.C. Tit. 21 (Food and Drug Section~~  
30 ~~812)~~ section 202 of the federal Controlled Substances Act,  
31 21 U.S.C. §812, chapter 124, or any prescription drug unless  
32 it was obtained directly or pursuant to valid prescription  
33 or order from a duly licensed physician who is acting in the  
34 course of professional practice.

35     Sec. 20. Section 147F.1, subsection 2, paragraph a, Code



1 2023, is amended to read as follows:

2     *a. "Active duty military"* means full-time duty status in  
3 the active uniformed service of the United States, including  
4 members of the national guard and the reserves on active duty  
5 orders pursuant to 10 U.S.C. ~~§1209~~ ch. 1209 and 10 U.S.C. ~~§1211~~  
6 ch. 1211.

7     Sec. 21. Section 147F.1, subsection 6, Code 2023, is amended  
8 to read as follows:

9     6. *Active duty military personnel or their spouses.* Active  
10 duty military personnel, or their ~~spouse~~ spouses, shall  
11 designate a home state where the individual has a current  
12 license in good standing. The individual may retain the  
13 home state designation during the period the service member  
14 is on active duty. Subsequent to designating a home state,  
15 the individual shall only change their home state through  
16 application for licensure in the new state.

17     Sec. 22. Section 147F.1, subsection 8, paragraph c,  
18 subparagraph (11), Code 2023, is amended to read as follows:

19     (11) Accept any and all appropriate donations and grants  
20 of money, equipment, supplies, materials, and services, and  
21 receive, utilize, and dispose of the same; provided that at all  
22 times the commission shall avoid any appearance of impropriety  
23 or conflict of interest.

24     Sec. 23. Section 151.10, Code 2023, is amended to read as  
25 follows:

26     **151.10 Education requirements.**

27     A person who is an applicant for a license to practice  
28 chiropractic shall only be required to be tested for the  
29 adjunctive procedures specified in section 151.1, subsection  
30 3, which the person chooses to utilize. A person licensed  
31 to practice chiropractic shall only be required to complete  
32 continuing education requirements for the adjunctive procedures  
33 specified in section 151.1, subsection 3, which the person  
34 chooses to utilize. A person who is an applicant for a license  
35 to practice chiropractic or a person licensed to practice

1 chiropractic shall not be required to utilize any of the  
2 adjunctive procedures specified in section 151.1, subsection  
3 3, to obtain a license or continue to practice chiropractic,  
4 respectively.

5 Sec. 24. Section 162.2, subsection 4, Code 2023, is amended  
6 to read as follows:

7 4. "*Animal warden*" means any person employed, contracted, or  
8 appointed by the state, municipal corporation, or any political  
9 subdivision of the state, for the purpose of aiding in the  
10 enforcement of the provisions of *this chapter* or any other law  
11 or ordinance relating to the licensing of animals, control of  
12 animals, or seizure and impoundment of animals and includes any  
13 peace officer, animal control officer, or other employee whose  
14 duties in whole or in part include assignments which involve  
15 the seizure or taking into custody of any animal.

16 Sec. 25. Section 165A.1, subsection 4, Code 2023, is amended  
17 to read as follows:

18 4. "*Johne's disease*" means a disease caused by the bacterium  
19 ~~mycobacterium~~ Mycobacterium paratuberculosis, and which is also  
20 referred to as paratuberculosis disease.

21 Sec. 26. Section 189A.5, subsection 2, paragraph e, Code  
22 2023, is amended to read as follows:

23 e. Investigate the sanitary conditions of each establishment  
24 within paragraph "a" of *this subsection* and withdraw or  
25 otherwise refuse to provide inspection service at any such  
26 establishment where the sanitary conditions are such as to  
27 render adulterated any livestock products or poultry products  
28 prepared or handled ~~thereat~~ at the establishment.

29 Sec. 27. Section 190.2, subsection 1, Code 2023, is amended  
30 to read as follows:

31 1. The department may establish and publish standards for  
32 foods when such standards are not fixed by law. The standards  
33 shall conform with standards for foods adopted by federal  
34 agencies including, but not limited to, the United States  
35 department of agriculture.

1     Sec. 28. Section 202A.4, subsection 2, Code 2023, is amended  
2 to read as follows:

3     2. A provision which is part of a contract for the purchase  
4 of livestock executed on and after April 29, 1999, ~~for the~~  
5 ~~purchase of livestock~~ is void, if the provision states that  
6 information contained in the contract is confidential. The  
7 provision is void regardless of whether the confidentiality  
8 provision is express or implied; oral or written; required or  
9 conditional; or contained in the contract, another contract,  
10 or in a related document, policy, or agreement. This section  
11 does not affect other provisions of a contract or a related  
12 document, policy, or agreement which can be given effect  
13 without the voided provision. This section does not require  
14 either party to the contract to divulge the information in the  
15 contract to another person.

16     Sec. 29. Section 206.8, subsection 3, Code 2023, is amended  
17 to read as follows:

18     3. Up to twenty-five dollars of each annual license fee  
19 shall be retained by the department for administration of the  
20 program, and the remaining moneys collected shall be deposited  
21 in the agriculture management account of the groundwater  
22 protection fund created in section 455E.11.

23     Sec. 30. Section 206.12, subsection 3, Code 2023, is amended  
24 to read as follows:

25     3. The registrant, before selling or offering for sale any  
26 pesticide for use in this state, shall register each brand  
27 and grade of such pesticide with the secretary upon forms  
28 furnished by the secretary, ~~and the.~~ The secretary shall set  
29 the registration fee annually at three hundred dollars for  
30 each and every brand and grade to be offered for sale in this  
31 state. The secretary shall adopt by rule exemptions to the  
32 fee. Fifty dollars of each fee collected shall be deposited  
33 in the general fund of the state, shall be subject to the  
34 requirements of section 8.60, and shall be used only for the  
35 purpose of enforcing the provisions of this chapter ~~and the.~~

1 The remainder of each fee collected shall be placed deposited  
2 in the agriculture management account of the groundwater  
3 protection fund created in section 455E.11.

4 Sec. 31. Section 210.23, Code 2023, is amended to read as  
5 follows:

6 **210.23 Exception.**

7 Any person engaged in operating a home food processing  
8 establishment as defined in section 137D.1 is exempt from the  
9 provisions of sections 210.19 through 210.22.

10 Sec. 32. Section 232.46, subsection 3, Code 2023, is amended  
11 to read as follows:

12 3. A consent decree shall not be entered unless the child  
13 and the child's parent, guardian, or custodian ~~is~~ are informed  
14 of the consequences of the decree by the court and the court  
15 determines that the child has voluntarily and intelligently  
16 agreed to the terms and conditions of the decree. If the  
17 county attorney objects to the entry of a consent decree,  
18 the court shall proceed to determine the appropriateness of  
19 entering a consent decree after consideration of any objections  
20 or reasons for entering such a decree.

21 Sec. 33. Section 237.18, subsection 2, paragraph d,  
22 unnumbered paragraph 1, Code 2023, is amended to read as  
23 follows:

24 Establish mandatory training programs for members of the  
25 state board. Training shall focus on~~7~~ but not be limited to~~7~~  
26 the following:

27 Sec. 34. Section 252B.6A, subsection 2, paragraph b,  
28 subparagraph (2), unnumbered paragraph 1, Code 2023, is amended  
29 to read as follows:

30 The department shall adopt rules which include~~7~~ but are  
31 not limited to~~7~~ exemption from application of this section  
32 to proceedings based upon~~7~~ but not limited to~~7~~ any of the  
33 following:

34 Sec. 35. Section 252B.6A, subsection 4, Code 2023, is  
35 amended to read as follows:

1     4. For the purposes of this section, a “*judicial proceeding*”  
 2 means an action to enforce support filed with a court of  
 3 competent jurisdiction in which the court issues an order which  
 4 identifies the amount of the support collection which is a  
 5 direct result of the court proceeding. “*Judicial proceedings*”  
 6 include but are not limited to those pursuant to ~~chapters~~  
 7 chapter 598, 626, 633, 642, 654, or 684 and also include  
 8 contempt proceedings if the collection payment is identified in  
 9 the court order as the result of such a proceeding. “*Judicial*  
 10 *proceedings*” do not include enforcement actions which the unit  
 11 is required to implement under federal law including, but not  
 12 limited to, income withholding.

13     Sec. 36. Section 252D.16, subsection 2, Code 2023, is  
 14 amended to read as follows:

15     2. “*Payor of income*” or “*payor*” means and includes, but is  
 16 not limited to, an obligor’s employer, trustee, the state of  
 17 Iowa and all governmental subdivisions and agencies and any  
 18 other person from whom an obligor receives income.

19     Sec. 37. Section 256.82, subsection 1, paragraph a,  
 20 subparagraph (3), Code 2023, is amended to read as follows:

21     (3) One member shall be appointed from the membership of  
 22 a ~~fund-raising~~ fundraising nonprofit organization financially  
 23 assisting the Iowa public broadcasting division.

24     Sec. 38. Section 256B.2, subsection 2, paragraph c, Code  
 25 2023, is amended to read as follows:

26     c. For those children who cannot adapt to the regular  
 27 educational or home living conditions, and who are attending  
 28 facilities under ~~chapters~~ chapter 263, 269, and or 270, upon  
 29 the request of the board of directors of an area education  
 30 agency, the department of human services shall provide  
 31 residential or detention facilities and the area education  
 32 agency shall provide special education programs and services.  
 33 The area education agencies shall cooperate with the state  
 34 board of regents to provide the services required by this  
 35 chapter.

1     Sec. 39. Section 260C.44, subsection 2, paragraph c, Code  
2 2023, is amended to read as follows:

3     *c. "Apprenticeship program"* means a plan, registered  
4 with the United States department of labor, office of  
5 apprenticeship which contains the terms and conditions for the  
6 qualification, recruitment, selection, employment, and training  
7 of apprentices, including the requirement for a written  
8 apprenticeship agreement.

9     Sec. 40. Section 261.85, subsection 2, Code 2023, is amended  
10 to read as follows:

11     2. From moneys appropriated in *this section*, one  
12 million five hundred thousand dollars shall be allocated to  
13 institutions of higher education under the state board of  
14 regents and community colleges and the remaining ~~dollars~~  
15 moneys appropriated in *this section* shall be allocated by the  
16 commission on the basis of need as determined by the portion of  
17 the federal formula for distribution of work-study funds that  
18 relates to the current need of institutions.

19     Sec. 41. Section 261.114, subsection 9, Code 2023, is  
20 amended to read as follows:

21     9. *Trust fund established.* A rural Iowa advanced registered  
22 nurse practitioner and physician assistant trust fund is  
23 created in the state treasury as a separate fund under the  
24 control of the commission. The commission shall remit all  
25 repayments made pursuant to *this section* to the rural Iowa  
26 advanced registered nurse practitioner and physician assistant  
27 trust fund. All moneys deposited or paid into the trust fund  
28 are appropriated and made available to the commission to be  
29 used for meeting the requirements of *this section*. Moneys in  
30 the fund up to the total amount that an eligible student may  
31 receive for an eligible loan in accordance with *this section*  
32 and upon fulfilling the requirements of *subsection 3* shall be  
33 considered encumbered for the duration of the agreement entered  
34 into pursuant to *subsection 3*. Notwithstanding *section 8.33*,  
35 any balance in the fund on June 30 of each fiscal year shall not

1 revert to the general fund of the state, but shall be available  
 2 for purposes of [this section](#) in subsequent fiscal years.  
 3 Notwithstanding [section 8.33](#), any balance in the fund on June  
 4 30, 2023, shall not revert to the general fund of the state but  
 5 shall be transferred to the health care ~~loan repayment~~ award  
 6 fund established pursuant to [section 261.116](#) to be used for  
 7 purposes of the health care ~~loan repayment~~ award program.

8 Sec. 42. Section 261.117, subsection 1, paragraph e,  
 9 subparagraph (4), Code 2023, is amended to read as follows:

10 (4) The individual is not eligible for the rural Iowa  
 11 advanced registered nurse practitioner and physician assistant  
 12 loan repayment program established pursuant to [section 261.114](#).

13 Sec. 43. Section 262.71, subsections 2 and 3, Code 2023, are  
 14 amended to read as follows:

15 2. The Iowa state university of science and technology.

16 3. The state university of Iowa.

17 Sec. 44. Section 262.78, subsections 1 and 3, Code 2023, are  
 18 amended to read as follows:

19 1. The board of regents shall establish a center for  
 20 agricultural safety and health at the state university of Iowa.  
 21 The center shall be a joint venture by the state university of  
 22 Iowa and Iowa state university of science and technology. The  
 23 center shall establish farm health and safety programs designed  
 24 to reduce the incidence of disabilities suffered by persons  
 25 engaged in agriculture which results from disease or injury.  
 26 The state university of Iowa is primarily responsible for the  
 27 management of agricultural health and injury programs at the  
 28 center. Iowa state university of science and technology is  
 29 primarily responsible for the management of the agricultural  
 30 safety programs of the center.

31 3. The president of the state university of Iowa, in  
 32 consultation with the president of Iowa state university of  
 33 science and technology, shall employ a full-time director  
 34 of the center. The center may employ staff to carry out  
 35 the center's purpose. The director shall coordinate the

1 agricultural health and safety programs of the center. The  
2 director shall regularly meet and consult with the center for  
3 rural health and primary care. The director shall provide  
4 the board of regents with relevant information regarding the  
5 center.

6 Sec. 45. Section 279.41, subsection 1, Code 2023, is amended  
7 to read as follows:

8 1. Moneys received from the condemnation, sale, or other  
9 disposition for public purposes of schoolhouses, school sites,  
10 or both schoolhouses and school sites, shall be deposited in  
11 the physical plant and equipment levy fund and may, without a  
12 vote of the electorate, be used for purposes authorized under  
13 section 298.3, as ordered by the board of directors of the  
14 school corporation.

15 Sec. 46. Section 298A.8, subsections 1 and 3, Code 2023, are  
16 amended to read as follows:

17 1. The student activity fund is a special revenue fund.  
18 A student activity fund must be established in any school  
19 corporation receiving money from student-related activities  
20 such as admissions, activity fees, student dues, student  
21 ~~fund-raising~~ fundraising events, or other student-related  
22 cocurricular or extracurricular activities. Moneys in  
23 this fund shall be used to support only the cocurricular or  
24 extracurricular program defined in department of education  
25 administrative rules.

26 3. For the school budget year beginning July 1, 2020, the  
27 school budget year beginning July 1, 2021, and the school  
28 budget year beginning July 1, 2022, the board of directors  
29 may, by board resolution and notwithstanding any provision of  
30 law to the contrary, transfer from the school corporation's  
31 general fund to the student activity fund an amount necessary,  
32 as recommended by the superintendent, to fund cocurricular  
33 or extracurricular activities for which moneys from  
34 student-related activities such as admissions, activity fees,  
35 student dues, student ~~fund-raising~~ fundraising events, or other



1 student-related cocurricular or extracurricular activities fail  
2 to meet the financial needs of the activity as the result of  
3 restrictions placed on the activity related to the COVID-19  
4 pandemic. **This subsection** is repealed July 1, 2023.

5 Sec. 47. Section 314.11, Code 2023, is amended to read as  
6 follows:

7 **314.11 Use of bridges by utility companies.**

8 Telephone, telegraph, electric transmission, and ~~pipe lines~~  
9 pipelines may be permitted to use any highway bridge on or  
10 across a state line on such terms and conditions as the agency  
11 or officials jointly constructing, maintaining, or operating  
12 such bridge may jointly determine. No discrimination shall  
13 be made in the use of such bridge as between such utilities.  
14 Joint use of telephone, telegraph, electric transmission, or  
15 ~~pipe lines~~ pipelines may not be required. No grant to any  
16 public utility to use such bridge shall in any way interfere  
17 with the use of such bridge by the public for highway purposes.

18 Sec. 48. Section 314.22, subsection 3, paragraph a,  
19 unnumbered paragraph 1, Code 2023, is amended to read as  
20 follows:

21 The director of the department shall appoint members to an  
22 integrated roadside vegetation management technical advisory  
23 committee which is created to provide advice on the development  
24 and implementation of a statewide integrated roadside  
25 vegetation management plan and program and related projects.  
26 The department shall report annually in January to the general  
27 assembly regarding its activities and those of the committee.  
28 Activities of the committee may include, but are not limited  
29 to, providing advice and assistance in the following areas:

30 Sec. 49. Section 314.22, subsection 4, unnumbered paragraph  
31 1, Code 2023, is amended to read as follows:

32 The integrated roadside vegetation management coordinator  
33 shall administer the department's integrated roadside  
34 vegetation management plan and program. The department  
35 may create the position of integrated roadside vegetation

1 management coordinator within the department or may contract  
2 for the services of the coordinator. The duties of the  
3 coordinator include, but are not limited to, the following:

4     Sec. 50. Section 314.22, subsection 8, paragraph a,  
5 unnumbered paragraph 1, Code 2023, is amended to read as  
6 follows:

7     The department shall coordinate and compile integrated  
8 roadside vegetation inventories, classification systems,  
9 plans, and implementation strategies for roadsides. Areas of  
10 increased program and project emphasis may include, but are not  
11 limited to, all of the following:

12     Sec. 51. Section 320.7, Code 2023, is amended to read as  
13 follows:

14     **320.7 Failure to maintain.**

15     Failure of the grantee to comply with the terms of the grant  
16 shall be ~~ground~~ grounds for forfeiture of the grant.

17     Sec. 52. Section 327D.5, Code 2023, is amended to read as  
18 follows:

19     **327D.5 Burden of proof.**

20     In any action in court, or before the department, brought  
21 against a railroad corporation for the purpose of enforcing  
22 rights arising under the provisions of this section and  
23 sections 327D.3 and 327D.4 the burden of proving that the  
24 provisions thereof have been complied with by such railroad  
25 corporation, shall be upon such railroad corporation.

26     Sec. 53. Section 328.26, subsection 2, Code 2023, is amended  
27 to read as follows:

28     2. When an aircraft is registered to a person for the first  
29 time, the fee submitted to the department shall include the tax  
30 imposed by section 423.2 or section 423.5 or evidence of the  
31 exemption of the aircraft from the tax imposed under section  
32 423.2 or 423.5.

33     Sec. 54. Section 331.653, subsection 12, Code 2023, is  
34 amended to read as follows:

35     12. Observe and inspect any licensed ~~premise~~ premises for

1 gambling devices and report findings to the license-issuing  
2 authority as provided in [section 99A.4](#).

3     Sec. 55. Section 346.27, subsections 2 and 4, Code 2023, are  
4 amended to read as follows:

5     2. Any county may join with its county seat to incorporate  
6 an ~~"Authority"~~ "authority" for the purpose of acquiring,  
7 constructing, demolishing, improving, enlarging, equipping,  
8 furnishing, repairing, maintaining, and operating a public  
9 building, and to acquire and prepare the necessary site,  
10 including demolition of any structures, for the joint use of  
11 the county and city or any school district which is within or  
12 is a part of the county or city.

13     4. The articles of incorporation shall set forth the name  
14 of the authority, the name of the incorporating units, the  
15 purpose for which the authority is created, the number, terms,  
16 and manner of selection of its officers including its governing  
17 body which shall be known as the ~~"commission"~~ "commission", the  
18 powers and duties of the authority and of its officers, the  
19 date upon which the authority becomes effective, the name of  
20 the newspaper in which the articles of incorporation shall be  
21 published, and any other matters.

22     Sec. 56. Section 350.1, Code 2023, is amended to read as  
23 follows:

24     **350.1 Purposes.**

25     The purposes of [this chapter](#) are to create a county  
26 conservation board; and to authorize counties to acquire,  
27 develop, maintain, and make available to the inhabitants  
28 of the county, public museums, parks, preserves, parkways,  
29 playgrounds, recreational centers, county forests, and wildlife  
30 and other conservation areas; and to promote and preserve the  
31 health and general welfare of the people; to encourage the  
32 orderly development and conservation of natural resources; and  
33 to cultivate good citizenship by providing adequate programs of  
34 public recreation.

35     Sec. 57. Section 350.4, unnumbered paragraph 1, Code 2023,

1 is amended to read as follows:

2 The county conservation board shall have the custody,  
3 control, and management of all real and personal property  
4 heretofore or hereafter acquired by the county for public  
5 museums, parks, preserves, parkways, playgrounds, recreation  
6 centers, county forests, county wildlife areas, and other  
7 county conservation and recreation purposes and is authorized  
8 and empowered:

9 Sec. 58. Section 350.4, subsections 4, 5, and 7, Code 2023,  
10 are amended to read as follows:

11 4. To plan, develop, preserve, administer and maintain all  
12 such areas, places, and facilities, and construct, reconstruct,  
13 alter, and renew buildings and other structures, and equip and  
14 maintain the same.

15 5. To accept in the name of the county gifts, bequests,  
16 contributions, and appropriations of money and other personal  
17 property for conservation purposes.

18 7. To charge and collect reasonable fees for the use of  
19 the parks, facilities, privileges, and conveniences as may  
20 be provided and for admission to amateur athletic contests,  
21 demonstrations and exhibits, and other noncommercial events.  
22 The board shall not allow the exclusive use of a park by one or  
23 more organizations.

24 Sec. 59. Section 350.5, subsection 1, Code 2023, is amended  
25 to read as follows:

26 1. The county conservation board may make, alter, amend, or  
27 repeal regulations for the protection, regulation, and control  
28 of all museums, parks, preserves, parkways, playgrounds,  
29 recreation centers, and other property under its control. The  
30 regulations shall not be contrary to, or inconsistent with, the  
31 laws of this state.

32 Sec. 60. Section 357.18, Code 2023, is amended to read as  
33 follows:

34 **357.18 Acceptance of work.**

35 When in the opinion of the engineer in charge, the

1 construction in any benefited water district has been completed  
 2 in accordance with the plans, specifications, and contract, the  
 3 engineer shall certify this fact to the board of supervisors,  
 4 and recommend the acceptance of the work by the said board.  
 5 The board of supervisors shall proceed in accordance with  
 6 sections 468.101 and 468.102.

7 Sec. 61. Section 376.3, Code 2023, is amended to read as  
 8 follows:

9 **376.3 Nominations.**

10 Candidates for elective city offices must be nominated as  
 11 provided in sections 376.4 through 376.9, unless by ordinance  
 12 a city chooses the provisions of chapter 44 or 45. However,  
 13 a city acting under a special charter in 1973 and having a  
 14 population of over fifty thousand shall continue to hold  
 15 partisan elections as provided in sections 43.112 through  
 16 43.118 and sections 420.126 through 420.137, unless the city by  
 17 election as provided in section 43.112 chooses to conduct city  
 18 elections under this chapter or chapter 44 or 45. The choice  
 19 of one of these options by such a special charter city does not  
 20 otherwise affect the validity of the city's charter. However,  
 21 special charter cities which choose to exercise the option to  
 22 conduct nonpartisan city elections may choose, in the same  
 23 manner the original decision was made, to resume holding city  
 24 elections on a partisan basis.

25 Sec. 62. Section 384.84A, subsection 5, Code 2023, is  
 26 amended to read as follows:

27 5. If a city is required by the federal environmental  
 28 protection agency to file application for storm water sewer  
 29 discharge or storm water drainage system under the federal  
 30 Clean Water Act of 1987, this section does not apply to that  
 31 city with respect to improvements and facilities required  
 32 for compliance with EPA federal environmental protection  
 33 agency regulations, or any city that enters into a chapter  
 34 28E agreement to implement a joint storm water discharge or  
 35 drainage system with a city that is required by the federal

1 environmental protection agency to file application for storm  
2 water discharge or storm water drainage system.

3 Sec. 63. Section 411.21, subsections 5 and 6, Code 2023, are  
4 amended to read as follows:

5 5. A member of the retirement system prior to July 1,  
6 1979, with fifteen or more years of service whose employment  
7 was terminated prior to retirement, other than by death or  
8 disability, is entitled to receipt of the member's accumulated  
9 contributions upon retirement together with other retirement  
10 benefits provided in the law on the date of the member's  
11 retirement.

12 6. Any member in service prior to July 1, 1979, may at  
13 the time of the member's retirement withdraw the member's  
14 accumulated contributions made before July 1, 1979, or receive  
15 an annuity which shall be the actuarial equivalent of the  
16 member's accumulated contributions at the time of the member's  
17 retirement.

18 Sec. 64. Section 411.21, subsection 7, paragraph a, Code  
19 2023, is amended to read as follows:

20 a. Notwithstanding subsections 1, 3, 4, 5, and 6 of this  
21 section, beginning January 1, 1981, an active or vested member  
22 may request in writing and receive from the board of trustees,  
23 the member's accumulated contributions from the annuity savings  
24 fund and remain eligible to receive benefits under section  
25 411.6. However, a member with fifteen or more years of service  
26 prior to July 1, 1979, is not eligible for a service retirement  
27 allowance under section 411.6 if the member withdrew the  
28 member's accumulated contributions from the annuity savings  
29 fund after July 1, 1972, but prior to July 1, 1979, except as  
30 provided in section 411.4. Accumulated contributions shall be  
31 paid according to the following schedule:

32 (1) During the period beginning January 1, 1981, and ending  
33 December 31, 1982, any member who has completed twenty or more  
34 years of service.

35 (2) During the period beginning January 1, 1983, and ending

1 December 31, 1984, any member who has completed fifteen or more  
2 years of service.

3 (3) During the period beginning January 1, 1985, and ending  
4 December 31, 1986, any member who has completed ten or more  
5 years of service.

6 (4) During the period beginning January 1, 1987, and ending  
7 December 31, 1988, any member who has completed five or more  
8 years of service.

9 Sec. 65. Section 419.2, subsections 6 and 8, Code 2023, are  
10 amended to read as follows:

11 6. To grant easements for roads, streets, water mains and  
12 pipes, sewers, power lines, telephone lines, all ~~pipe lines~~  
13 pipelines, and to all utilities.

14 8. To issue revenue bonds for the purpose of retiring any  
15 existing indebtedness of a health care facility, clinic, or  
16 voluntary nonprofit hospital, to secure payment of the bonds  
17 as provided in this chapter, and to enter into agreements  
18 with others with respect to these bonds for such payments and  
19 upon such terms and conditions as the governing body may deem  
20 advisable in accordance with the provisions of this chapter.  
21 The retiring of any existing indebtedness of a health care  
22 facility, clinic, or voluntary nonprofit hospital shall be  
23 deemed a "project" for the purposes of this chapter.

24 Sec. 66. Section 421.24, subsection 4, paragraph a, Code  
25 2023, is amended to read as follows:

26 a. At the request of the director, the attorney general  
27 may bring suit in the name of this state, in the appropriate  
28 court of any other state to collect any tax legally due in  
29 this state, and any political subdivision of this state or the  
30 appropriate officer, acting in its behalf, may bring suit in  
31 the appropriate court of any other state to collect any tax  
32 legally due to such political subdivision.

33 Sec. 67. Section 422.11L, subsection 6, Code 2023, is  
34 amended to read as follows:

35 6. For purposes of this section, "Internal Revenue Code"

1 means the Internal Revenue Code of 1954, prior to the date  
 2 of its redesignation as the Internal Revenue Code of 1986 by  
 3 the Tax Reform Act of 1986, or means the Internal Revenue Code  
 4 of 1986 as amended and in effect on January 1, 2016. This  
 5 definition shall not be construed to include any amendment to  
 6 the Internal Revenue Code enacted after ~~the date specified in~~  
 7 ~~the preceding sentence~~ January 1, 2016, including any amendment  
 8 with retroactive applicability or effectiveness.

9     Sec. 68. Section 428A.9, Code 2023, is amended to read as  
 10 follows:

11     **428A.9 Refund of tax.**

12     To receive a refund from the state, the taxpayer shall  
 13 petition the state appeal board for a refund of the amount of  
 14 overpayment of the tax remitted to the department of revenue.  
 15 To receive a refund from the county, the taxpayer shall  
 16 petition the board of supervisors for a refund of the remaining  
 17 portion of the overpayment paid to that county.

18     Sec. 69. Section 455B.224, Code 2023, is amended to read as  
 19 follows:

20     **455B.224 Simple misdemeanor.**

21     Any person, including any firm, corporation, municipal  
 22 corporation, or other governmental subdivision or agency,  
 23 violating any provisions of **this part 2 of subchapter III** or  
 24 the rules adopted under **this part** after written notice of the  
 25 violation by the executive director is guilty of a simple  
 26 misdemeanor. Each day of operation in such violation of this  
 27 part or any rules adopted under **this part** shall constitute a  
 28 separate offense. It shall be the duty of the appropriate  
 29 county attorney to secure injunctions of continuing violations  
 30 of any provisions of **this part** or the rules adopted under this  
 31 part.

32     Sec. 70. Section 455B.301, subsection 27, Code 2023, is  
 33 amended to read as follows:

34     27. *"Sanitary disposal project"* means all facilities  
 35 and appurtenances including all real and personal property



1 connected with such facilities, which are acquired, purchased,  
2 constructed, reconstructed, equipped, improved, extended,  
3 maintained, or operated to facilitate the final disposition of  
4 solid waste without creating a significant hazard to the public  
5 health or safety, and which are approved by the executive  
6 director. "*Sanitary disposal project*" does not include a  
7 pyrolysis or gasification facility.

8 Sec. 71. Section 455B.395, Code 2023, is amended to read as  
9 follows:

10 **455B.395 Public information.**

11 Information obtained under this part 4, or a rule, order,  
12 or condition adopted or issued under this part 4, or an  
13 investigation authorized thereby, shall be available to the  
14 public unless the information constitutes trade secrets or  
15 information which is entitled to confidential treatment in  
16 order to protect a plan, process, tool, mechanism, or compound  
17 which is known only to the person claiming confidential  
18 treatment and confidential treatment is necessary to protect  
19 the person's trade, business or manufacturing process.

20 Sec. 72. Section 455B.473, subsection 6, Code 2023, is  
21 amended to read as follows:

22 6. Subsections 1 through 3 do not apply to an underground  
23 storage tank for which notice was given pursuant to section  
24 103, subsection c, of the Comprehensive Environmental Response,  
25 Compensation, and ~~Liabilities~~ Liability Act of 1980.

26 Sec. 73. Section 455B.479, Code 2023, is amended to read as  
27 follows:

28 **455B.479 Storage tank management fee.**

29 An owner or operator of an underground storage tank shall  
30 pay an annual storage tank management fee of sixty-five dollars  
31 per tank of over one thousand one hundred gallons capacity.  
32 The fees collected shall be deposited in the storage tank  
33 management account of the groundwater protection fund created  
34 in section 455E.11.

35 Sec. 74. Section 455F.7, subsection 1, Code 2023, is amended

1 to read as follows:

2 1. A retailer offering for sale or selling a household  
3 hazardous material shall have a valid permit for each place of  
4 business owned or operated by the retailer for this activity.  
5 All permits provided for in this section shall expire on  
6 June 30 of each year. Every retailer shall submit an annual  
7 application by July 1 of each year and a fee of twenty-five  
8 dollars to the department of revenue for a permit upon a  
9 form prescribed by the director of revenue. Permits are  
10 nonrefundable, are based upon an annual operating period, and  
11 are not prorated. A person in violation of this section shall  
12 be subject to permit revocation upon notice and hearing. The  
13 department shall remit the fees collected to the household  
14 hazardous waste account of the groundwater protection fund  
15 created in section 455E.11. A person distributing general use  
16 pesticides labeled for agricultural or lawn and garden use with  
17 gross annual pesticide sales of less than ten thousand dollars  
18 is subject to the requirements and fee payment prescribed by  
19 this section.

20 Sec. 75. Section 455G.4, subsection 6, Code 2023, is amended  
21 to read as follows:

22 6. *Reporting.* Beginning July 2003, the board shall submit  
23 a written report quarterly to the legislative council, the  
24 chairperson and ranking member of the committee on natural  
25 resources and environment ~~and energy independence~~ in the  
26 senate, and the chairperson and ranking member of the committee  
27 on environmental protection in the house of representatives  
28 regarding changes in the status of the program including but  
29 not limited to the number of open claims by claim type; the  
30 number of new claims submitted and the eligibility status  
31 of each claim; a summary of the risk classification of open  
32 claims; the status of all claims at high-risk sites including  
33 the number of corrective action design reports submitted,  
34 approved, and implemented during the reporting period; total  
35 moneys reserved on open claims and total moneys paid on

1 open claims; and a summary of budgets approved and invoices  
2 paid for high-risk site activities including a breakdown by  
3 corrective action design report, construction and equipment,  
4 implementation, operation and maintenance, monitoring, over  
5 excavation, free product recovery, site reclassification,  
6 reporting and other expenses, or a similar breakdown. In  
7 each report submitted by the board, the board shall include  
8 an estimated timeline to complete corrective action at all  
9 currently eligible high-risk sites where a corrective action  
10 design report has been submitted by a claimant and approved  
11 during the reporting period. The timeline shall include the  
12 projected year when a no further action designation will be  
13 obtained based upon the corrective action activities approved  
14 or anticipated at each claimant site. The timeline shall be  
15 broken down in annual increments with the number or percentage  
16 of sites projected to be completed for each time period. The  
17 report shall identify and report steps taken to expedite  
18 corrective action and eliminate the state's liability for open  
19 claims.

20     Sec. 76. Section 456B.11, Code 2023, is amended to read as  
21 follows:

22     **456B.11 Agricultural drainage wells — wetlands —**  
23 **conservation easements.**

24     The department shall develop and implement a program for  
25 the acquisition of wetlands and conservation easements on and  
26 around wetlands that result from the closure or change in use  
27 of agricultural drainage wells upon implementation of the  
28 programs specified in [section 460.302](#) to eliminate groundwater  
29 contamination caused by the use of agricultural drainage  
30 wells. The program shall be coordinated with the department  
31 of agriculture and land stewardship. The department may use  
32 moneys appropriated for this purpose from the agriculture  
33 management account of the groundwater protection fund created  
34 in section 455E.11 in addition to other moneys available for  
35 wetland acquisition, protection, development, and management.

1     Sec. 77. Section 458A.25, Code 2023, is amended to read as  
2 follows:

3     **458A.25 Liens for labor or materials and of contractor and**  
4 **subcontractor — manner of perfecting liens — enforcement of**  
5 **liens.**

6     Provisions of **chapter 572** as to mechanic's liens or labor  
7 and materials furnished for improvements on real estate  
8 and of contractors and subcontractors shall apply to labor  
9 and materials furnished for gas or oil wells, or ~~pipe-lines~~  
10 pipelines. The liens shall not attach on the real estate,  
11 but shall attach to the whole of the lease held, and upon the  
12 gas or oil wells, buildings and appurtenances, and ~~pipe-lines~~  
13 pipelines for which ~~said the~~ labor or materials were furnished,  
14 and shall be perfected and enforced as provided by **chapter 572**.

15     Sec. 78. Section 460.302, subsection 2, paragraph a, Code  
16 2023, is amended to read as follows:

17     a. Financial incentive moneys may be allocated from the  
18 financial incentive portion of the agriculture management  
19 account of the groundwater protection fund created in section  
20 455E.11 to implement alternatives to agricultural drainage  
21 wells.

22     Sec. 79. Section 490.143, subsection 1, paragraph e,  
23 subparagraphs (1) and (2), Code 2023, are amended to read as  
24 follows:

25     (1) Pursues or takes advantage of the business opportunity,  
26 directly, or indirectly through or on behalf of another person.

27     (2) Has a material relationship with a director or officer  
28 who pursues or takes advantage of the business opportunity,  
29 directly, or indirectly through or on behalf of another person.

30     Sec. 80. Section 514A.3, subsection 1, paragraph m, Code  
31 2023, is amended to read as follows:

32     m. (1) A provision as follows:

33     *Right to return policy:* The insured has the right, within  
34 ten days after receipt of this policy, to return it to the  
35 company at its home office or branch office or to the agent

1 through whom it was purchased, and if so returned the premium  
2 paid will be refunded and the policy will be void from the  
3 beginning and the parties shall be in the same position as if  
4 a policy had not been issued.

5 (2) The foregoing provision shall be prominently printed on  
6 the first page of the policy or attached to the policy.

7 (3) The provisions of this paragraph "m" shall apply to any  
8 insurance policy which is delivered or issued for delivery or  
9 renewed in this state on or after July 1, 1978.

10 Sec. 81. Section 514A.3, subsection 2, paragraph c, Code  
11 2023, is amended to read as follows:

12 c. (1) A provision as follows:

13 *Other insurance in this insurer:* If an accident or sickness  
14 or accident and sickness policy or policies previously  
15 issued by the insurer to the insured be in force concurrently  
16 herewith, making the aggregate indemnity for ... (insert type  
17 of coverage or coverages) in excess of \$... (insert maximum  
18 limit of indemnity or indemnities) the excess insurance shall  
19 be void and all premiums paid for such excess shall be returned  
20 to the insured or to the insured's estate.

21 (2) Or, in lieu thereof:

22 Insurance effective at any one time on the insured under  
23 a like policy or policies in this insurer is limited to the  
24 one such policy elected by the insured, or the insured's  
25 beneficiary or estate, as the case may be, and the insurer will  
26 return all premiums paid for all other such policies.

27 Sec. 82. Section 514E.2, subsection 2, paragraph b, Code  
28 2023, is amended to read as follows:

29 b. The composition of the board of directors shall be in  
30 compliance with [sections 69.16](#) and [69.16A](#). The governor's  
31 appointees shall be chosen from a broad ~~cross-section~~ cross  
32 section of the residents of this state.

33 Sec. 83. Section 518B.1, subsection 3, Code 2023, is amended  
34 to read as follows:

35 3. "The Act" means ~~Section~~ section 1223 of the federal

1 Housing and Urban Development Act of 1968, Pub. L. No. 90-448,  
2 90th Congress approved August 1, 1968.

3 Sec. 84. Section 521A.1, subsection 3, Code 2023, is amended  
4 to read as follows:

5 3. "*Control*", including "*controlling*", "*controlled by*", and  
6 "*under common control with*", shall mean the possession, direct  
7 or indirect, of the power to direct or cause the direction  
8 of the management and policies of a person, whether through  
9 the ownership of voting securities, by contract other than  
10 a commercial contract for goods or nonmanagement services,  
11 or otherwise, unless the power is solely the result of an  
12 official position with or a corporate office held by the  
13 person. Control shall be presumed to exist if any person,  
14 directly or indirectly, owns, controls, holds with the power  
15 to vote, or holds proxies representing, ten percent or more of  
16 the voting securities of any other person. This presumption  
17 may be rebutted by a showing made in the manner provided in  
18 section 521A.3, subsections 1 through 5, ~~inclusive~~, or section  
19 521A.4, subsection 11, whichever is applicable, that control  
20 does not exist in fact. The commissioner may determine, after  
21 furnishing all persons in interest notice and opportunity to  
22 be heard and making specific findings of fact to support the  
23 determination, that control exists in fact, notwithstanding the  
24 absence of a presumption to that effect.

25 Sec. 85. Section 524.103, subsection 22, Code 2023, is  
26 amended to read as follows:

27 22. "*Evidence of indebtedness*" means a note, draft, or  
28 similar negotiable or nonnegotiable instrument.

29 Sec. 86. Section 524.207, subsection 2, Code 2023, is  
30 amended to read as follows:

31 2. All fees and assessments generated as the result of a  
32 national bank or federal savings association converting to a  
33 state bank on or after December 31, 2015, ~~and thereafter~~, are  
34 payable to the superintendent. The superintendent shall pay  
35 all the fees and assessments received by the superintendent

1 pursuant to [this subsection](#) to the treasurer of state within  
 2 the time required by [section 12.10](#) and the fees and assessments  
 3 shall be deposited into the department of commerce revolving  
 4 fund created in [section 546.12](#). An amount equal to such fees  
 5 and assessments deposited into the department of commerce  
 6 revolving fund is appropriated from the department of commerce  
 7 revolving fund to the banking division of the department of  
 8 commerce for the fiscal year in which a national bank or  
 9 federal savings association converted to a state bank and an  
 10 amount equal to such annualized fees and assessments deposited  
 11 into the department of commerce revolving fund in succeeding  
 12 years is appropriated from the department of commerce revolving  
 13 fund to the banking division of the department of commerce for  
 14 succeeding fiscal years for purposes related to the discharge  
 15 of the duties and responsibilities imposed upon the banking  
 16 division of the department of commerce, the superintendent,  
 17 and the state banking council by the laws of this state. This  
 18 appropriation shall be in addition to the appropriation of  
 19 moneys otherwise described in [this section](#). If a state bank  
 20 converts to a national bank or federal savings association,  
 21 any appropriation made pursuant to [this subsection](#) for the  
 22 following fiscal year shall be reduced by the amount of the  
 23 assessment paid by the state bank during the fiscal year in  
 24 which the state bank converted to a national bank or federal  
 25 savings association.

26 Sec. 87. Section 524.302, subsection 1, paragraph e, Code  
 27 2023, is amended to read as follows:

28 e. The number of directors constituting the initial board  
 29 of directors and the names and addresses of the individuals  
 30 who are to serve as directors until the first annual meeting  
 31 of shareholders or until their successors ~~be~~ are elected and  
 32 qualify.

33 Sec. 88. Section 524.544, subsection 3, Code 2023, is  
 34 amended to read as follows:

35 3. The reports required by ~~subsections~~ subsection 1 and ~~2~~

1 of [this section](#) shall contain information, to the extent known  
 2 by the person making the report, relative to the number of  
 3 shares involved, the names of the sellers and purchasers or  
 4 transferors and transferees, the purchase price, the name of  
 5 the borrower, the amount, source, and terms of the loan, or  
 6 other transaction, the name of the bank issuing the shares used  
 7 as security, and the number of shares used as security.

8 Sec. 89. Section 524.1405, subsection 2, paragraph d, Code  
 9 2023, is amended to read as follows:

10 d. The name of the survivor may be, but need not be,  
 11 substituted in any pending proceeding for the name of any party  
 12 to the merger whose separate existence ceased in the merger.

13 Sec. 90. Section 524.1508, subsection 1, paragraphs b and c,  
 14 Code 2023, are amended to read as follows:

15 b. Written or printed notice setting forth the proposed  
 16 restated articles or a summary of the provisions of the  
 17 proposed restated articles shall be given to each shareholder  
 18 of record entitled to vote on the proposed restated articles  
 19 within the time and in the manner provided in [section 524.533](#).  
 20 If the meeting ~~be~~ is an annual meeting, the proposed restated  
 21 articles may be included in the notice of such annual meeting.  
 22 If the restated articles include an amendment or amendments to  
 23 the articles of incorporation, the notice shall separately set  
 24 forth such amendment or amendments or a summary of the changes  
 25 to be effected by the amendment or amendments.

26 c. At the meeting, a vote of the shareholders entitled to  
 27 vote on the proposed restated articles shall be taken on the  
 28 proposed restated articles. The proposed restated articles  
 29 shall be adopted upon receiving the affirmative vote of the  
 30 holders of a majority of the shares entitled to vote, unless  
 31 such restated articles include an amendment to the articles of  
 32 incorporation which, if contained in a proposed amendment to  
 33 articles of incorporation to be made without restatement of  
 34 the articles of incorporation, would entitle a class of shares  
 35 to vote as a class on the proposed restated articles, in which



1 event the proposed restated articles shall be adopted upon  
2 receiving the affirmative vote of the holders of a majority  
3 of the shares of each class of shares entitled to vote on the  
4 proposed restated articles as a class, and of the total shares  
5 entitled to vote on the proposed restated articles.

6 Sec. 91. Section 554.2403, subsection 3, Code 2023, is  
7 amended to read as follows:

8 3. ~~"Entrusting"~~ "Entrusting" includes any delivery and  
9 any acquiescence in retention of possession regardless of any  
10 condition expressed between the parties to the delivery or  
11 acquiescence and regardless of whether the procurement of the  
12 entrusting or the possessor's disposition of the goods have  
13 been such as to be larcenous under the criminal law.

14 Sec. 92. Section 554.2707, subsection 1, Code 2023, is  
15 amended to read as follows:

16 1. A ~~"person in the position of a seller"~~ "person in the  
17 position of a seller" includes as against a principal an agent  
18 who has paid or become responsible for the price of goods on  
19 behalf of the agent's principal or anyone who otherwise holds a  
20 security interest or other right in goods similar to that of a  
21 seller.

22 Sec. 93. Section 554.9208, subsection 2, paragraph f,  
23 subparagraph (3), Code 2023, is amended to read as follows:

24 (3) take appropriate action to enable the debtor or its  
25 designated custodian to make copies of or revisions to the  
26 authoritative copy which add or change an identified assignee  
27 of the authoritative copy without the consent of the secured  
28 party; and

29 Sec. 94. Section 556E.2, Code 2023, is amended to read as  
30 follows:

31 **556E.2 Tests.**

32 In any test for the ascertainment of the fineness of the  
33 gold or alloy in any such article, according to the foregoing  
34 standards, the part of the gold or alloy taken for the test  
35 shall be such portion as does not contain or have attached

1 thereto any solder or alloy of inferior fineness used for  
 2 brazing or uniting the parts of said article; and in addition  
 3 to the foregoing tests and standards, the actual fineness of  
 4 the entire quantity of gold and its alloys contained in any  
 5 article mentioned in this section and section 556E.1, except  
 6 watchcases and flatware, including all solder or alloy of  
 7 inferior metal used for brazing or uniting the parts of the  
 8 article, all such gold, alloys, and solder being assayed as  
 9 one piece, shall not be less than the fineness indicated by  
 10 the mark stamped, branded, engraved, or imprinted upon such  
 11 article, or upon any tag, card, or label attached thereto, or  
 12 upon any container in which said article is enclosed.

13 Sec. 95. Section 562B.10, subsection 1, Code 2023, is  
 14 amended to read as follows:

15 1. The landlord and tenant may include in a rental agreement  
 16 terms and conditions not prohibited by this chapter or other  
 17 rule of law, including rent, term of the agreement, and other  
 18 provisions governing the rights and obligations of the parties.

19 Sec. 96. Section 592.1, Code 2023, is amended to read as  
 20 follows:

21 **592.1 Bonds for garbage disposal plants.**

22 All proceedings of such cities and towns as herein included,  
 23 heretofore had, subsequent to the adoption of section 696-b [SS  
 24 15] by the ~~thirty-sixth general assembly~~ Thirty-sixth General  
 25 Assembly, and prior to the passage of this Act, providing for  
 26 the issuance of bonds within the limitations of this Act, for  
 27 the purchase or erection of garbage disposal plants, the vote  
 28 of the people authorizing such issue and the bonds issued under  
 29 such proceedings and vote, are hereby legalized and declared  
 30 legal and valid, the same as though all of the provisions  
 31 of this Act had been included in said section 696-b of the  
 32 ~~supplemental supplement~~ Supplemental Supplement to the Code,  
 33 1915, and such cities may issue and sell such bonds without  
 34 again submitting such question to vote.

35 Sec. 97. Section 628.28, Code 2023, is amended to read as

1 follows:

2     **628.28 Redemption of property not used for agricultural or**  
 3 **certain residential purposes.**

4     1. If real property is not used for agricultural purposes,  
 5 as defined in [section 535.13](#), and is not the residence of  
 6 the debtor, or if it is the residence of the debtor but not  
 7 a single-family or two-family dwelling, then the period of  
 8 redemption after foreclosure is one hundred eighty days. For  
 9 the first ninety days after the sale the right of redemption  
 10 is exclusive to the debtor and the time periods provided in  
 11 sections 628.5, [628.15](#), and [628.16](#) are reduced to one hundred  
 12 thirty-five days. If a deficiency judgment has been waived the  
 13 period of redemption is reduced to ninety days. For the first  
 14 thirty days after the sale the redemption is exclusively the  
 15 right of the debtor and the time periods provided in sections  
 16 628.5, [628.15](#), and [628.16](#) are reduced to sixty days.

17     2. If real property is not used for agricultural purposes,  
 18 as defined in [section 535.13](#), and is a single-family or  
 19 two-family dwelling which is the residence of the debtor at the  
 20 time of foreclosure but the court finds that after foreclosure  
 21 the dwelling has ceased to be the residence of the debtor and  
 22 if there are no junior creditors, the court shall order the  
 23 period of redemption reduced to thirty days from the date of  
 24 the court order. If there is a junior creditor, the court  
 25 shall order the redemption period reduced to sixty days. For  
 26 the first thirty days redemption is the exclusive right of the  
 27 debtor and the time periods provided in [sections 628.5](#), [628.15](#),  
 28 and [628.16](#) are reduced to forty-five days.

29     Sec. 98. Section 636.25, Code 2023, is amended to read as  
 30 follows:

31     **636.25 Existing investments.**

32     Any fiduciary not governed by the probate code may by and  
 33 with the consent of the court having jurisdiction over such  
 34 fiduciary or under permission of the instrument creating the  
 35 trust, continue to hold any investment originally received by

1 the fiduciary under the trust or any increase thereof. Such  
2 fiduciary may also make investments which the fiduciary may  
3 deem necessary to protect and safeguard investments already  
4 made according to the provisions of this section and sections  
5 636.23 and 636.24.

6 Sec. 99. Section 692A.128, subsection 2, paragraph a, Code  
7 2023, is amended to read as follows:

8 a. The date of the commencement of the requirement to  
9 register occurred at least two years prior to the filing of the  
10 application for a tier I offender and five years prior to the  
11 filing of the application for a tier II or tier III offender.

12 Sec. 100. Section 804.31, subsection 1, Code 2023, is  
13 amended to read as follows:

14 1. When a person is detained for questioning or arrested for  
15 an alleged violation of a law or ordinance and there is reason  
16 to believe that the person is deaf or ~~hard-of-hearing~~ hard of  
17 hearing, the peace officer making the arrest or taking the  
18 person into custody or any other officer detaining the person  
19 shall determine if the person is a deaf or hard-of-hearing  
20 person as defined in section 622B.1. If the officer so  
21 determines, the officer, at the earliest possible time and  
22 prior to commencing any custodial interrogation of the person,  
23 shall procure a qualified interpreter in accordance with  
24 section 622B.2 and the rules adopted by the supreme court  
25 under section 622B.1 unless the deaf or hard-of-hearing person  
26 knowingly, voluntarily, and intelligently waives the right to  
27 an interpreter in writing by executing a form prescribed by  
28 the department of human rights and the Iowa county attorneys  
29 association. The interpreter shall interpret the officer's  
30 warnings of constitutional rights and protections and all other  
31 warnings, statements, and questions spoken or written by any  
32 officer, attorney, or other person present and all statements  
33 and questions communicated in sign language by the deaf or  
34 hard-of-hearing person.

35 Sec. 101. Section 811.7, subsection 3, Code 2023, is amended

1 to read as follows:

2 3. If the order ~~recite~~ recites, as the ground on which it  
3 is made, the failure of the defendant to appear for judgment  
4 upon conviction, the defendant must be committed according to  
5 the requirements of the order; if made for any other cause and  
6 the offense is bailable, the court must cause a direction to be  
7 inserted in the order that the defendant be admitted to bail,  
8 in a sum to be stated in the order.

9 Sec. 102. Section 904.603, Code 2023, is amended to read as  
10 follows:

11 **904.603 Action for damages.**

12 A person receiving or who has received services, or that  
13 person's family, victim, or employer may institute a civil  
14 action for damages under [chapter 669](#) or other action to  
15 restrain the release of confidential records set out in section  
16 904.602, subsection 2, which is in violation of that section,  
17 ~~and a.~~ A person, agency, or governmental body proven to have  
18 released confidential records in violation of section 904.602,  
19 subsection 2, is liable for actual damages for each violation  
20 and is liable for court costs and reasonable attorney's fees  
21 incurred by the party bringing the action.

22 Sec. 103. Section 422.7, subsection 29, paragraph b,  
23 subparagraph (1), as enacted by 2018 Iowa Acts, chapter 1161,  
24 section 114, is amended to read as follows:

25 (1) Add back any amount of pensions or other retirement  
26 income received from any source which is not taxable under  
27 this ~~division~~ subchapter, including but not limited to amounts  
28 deductible under [subsections 13, 31, 31A, and 31B](#).

29 Sec. 104. 2022 Iowa Acts, chapter 1045, section 7, is  
30 amended by striking the section and inserting in lieu thereof  
31 the following:

32 SEC. 7. Section 421.65, subsection 1, paragraph b, as  
33 enacted by 2020 Iowa Acts, chapter 1064, section 16, is amended  
34 to read as follows:

35 *b. "Public agency" means a board, commission, department,*

1 including the department of revenue, or other administrative  
2 office or unit of the state of Iowa or any other state entity  
3 reported in the Iowa ~~comprehensive~~ annual comprehensive  
4 financial report, or a political subdivision of the state, or  
5 an office or unit of a political subdivision. "*Public agency*"  
6 does include the clerk of the district court as it relates to  
7 the collection of a qualifying debt. "*Public agency*" does not  
8 include the general assembly or office of the governor.

9 Sec. 105. 2022 Iowa Acts, chapter 1061, sections 53 and 54,  
10 are amended to read as follows:

11 SEC. 53. EFFECTIVE DATE. The following, being deemed of  
12 immediate importance, takes effect upon enactment:

13 The section of this division of this Act amending section  
14 ~~425.25A~~ 422.25A, subsection 5, paragraph "c", subparagraph (6),  
15 subparagraph division (a).

16 SEC. 54. RETROACTIVE APPLICABILITY. The following applies  
17 retroactively to January 1, 2022, for tax years beginning on  
18 or after that date:

19 The section of this division of this Act amending section  
20 ~~425.25A~~ 422.25A, subsection 5, paragraph "c", subparagraph (6),  
21 subparagraph division (a).

22 Sec. 106. 2022 Iowa Acts, chapter 1099, section 47, is  
23 amended by striking the section and inserting in lieu thereof  
24 the following:

25 SEC. 47. Section 123.49, subsection 2, paragraph d,  
26 subparagraphs (1) and (3), Code 2022, are amended to read as  
27 follows:

28 (1) Keep on premises covered by a ~~liquor control~~ retail  
29 alcohol license any alcoholic liquor in any container except  
30 the original package purchased from the division, and except  
31 mixed drinks or cocktails mixed on the premises for immediate  
32 consumption on the licensed premises or as otherwise provided  
33 by this paragraph "d". This prohibition does not apply to  
34 holders of a class "D" ~~liquor control~~ retail alcohol license  
35 or to alcoholic liquor delivered in accordance with section

1 123.46A.

2 (3) Mixed drinks or cocktails mixed on premises covered  
 3 by a class "C" ~~liquor control~~ retail alcohol license ~~or a~~  
 4 ~~class "C" native distilled spirits liquor control~~ license for  
 5 consumption off the licensed premises may be sold if the mixed  
 6 drink or cocktail is immediately filled in a sealed container  
 7 and is promptly taken from the licensed premises prior to  
 8 consumption of the mixed drink or cocktail. A mixed drink  
 9 or cocktail that is sold in a sealed container in compliance  
 10 with the requirements of this subparagraph and rules adopted  
 11 by the division shall not be deemed an open container subject  
 12 to the requirements of [sections 321.284](#) and [321.284A](#) if the  
 13 sealed container is unopened and the seal has not been tampered  
 14 with, and the contents of the container have not been partially  
 15 removed.

16 Sec. 107. Section 331.389, subsection 4, paragraph a,  
 17 subparagraph (3), as amended by 2022 Iowa Acts, chapter 1131,  
 18 section 69, is amended to read as follows:

19 (b) The department shall provide written notice to ~~the~~  
 20 a region's regional administrator that the region is in  
 21 compliance with the requirements in [subsection 3](#).

22 Sec. 108. 2022 Iowa Acts, chapter 1148, section 25, is  
 23 amended to read as follows:

24 SEC. 25. [Section 422.60](#), Code 2022, is amended by adding the  
 25 following new subsection:

26 NEW SUBSECTION. 15. The taxes imposed under this ~~division~~  
 27 subchapter shall be reduced by an employer child care tax  
 28 credit allowed pursuant to [section 237A.31](#).

29 Sec. 109. 2022 Iowa Acts, chapter 1153, section 38, is  
 30 amended by striking the section and inserting in lieu thereof  
 31 the following:

32 SEC. 38. [Section 282.18](#), [subsection 11](#), paragraph a,  
 33 subparagraph (8), Code 2022, is amended to read as follows:

34 (8) If the pupil participates in open enrollment because  
 35 of circumstances that meet the definition of good cause ~~under~~

1 ~~subsection 4, paragraph "b"~~. For purposes of this subparagraph,  
 2 "good cause" means a change in a child's residence due to a  
 3 change in family residence, a change in a child's residence  
 4 from the residence of one parent or guardian to the residence  
 5 of a different parent or guardian, a change in the state in  
 6 which the family residence is located, a change in a child's  
 7 parents' marital status, a guardianship or custody proceeding,  
 8 placement in foster care, adoption, participation in a foreign  
 9 exchange program, initial placement of a prekindergarten  
 10 student in a special education program requiring specially  
 11 designed instruction, or participation in a substance abuse  
 12 or mental health treatment program, a change in the status of  
 13 a child's resident district such as removal of accreditation  
 14 by the state board, surrender of accreditation, or permanent  
 15 closure of a nonpublic school, revocation of a charter school  
 16 contract as provided in section 256E.10 or 256F.8, the failure  
 17 of negotiations for a whole grade sharing, reorganization,  
 18 dissolution agreement, or the rejection of a current whole  
 19 grade sharing agreement, or reorganization plan.

## 20 DIVISION II

### 21 CODE EDITOR DIRECTIVE

22 Sec. 110. CODE EDITOR DIRECTIVE.

23 1. The Code editor is directed to make the following  
 24 transfer:

25 Section 89A.25 to section 89A.1A.

26 2. The Code editor shall correct internal references in the  
 27 Code and in any enacted legislation as necessary due to the  
 28 enactment of this section.

## 29 DIVISION III

### 30 EFFECTIVE DATE AND APPLICABILITY PROVISIONS

31 Sec. 111. CONTINGENT EFFECTIVE DATE. The following takes  
 32 effect on the effective date of the rules adopted by the  
 33 department of revenue pursuant to chapter 17A implementing 2020  
 34 Iowa Acts, chapter 1064, other than transitional rules:

35 The section of this Act amending 2022 Iowa Acts, chapter



1 1045, section 7.

2     Sec. 112. EFFECTIVE DATE. The following, being deemed of  
3 immediate importance, takes effect upon enactment:

4     The section of this Act amending 2022 Iowa Acts, chapter  
5 1061, sections 53 and 54.

6     Sec. 113. RETROACTIVE APPLICABILITY. The following applies  
7 retroactively to January 1, 2023:

8     The section of this Act amending 2018 Iowa Acts, chapter  
9 1161, section 114.

10    Sec. 114. RETROACTIVE APPLICABILITY. The following applies  
11 retroactively to January 1, 2022:

12    The section of this Act amending 2022 Iowa Acts, chapter  
13 1061, sections 53 and 54.